

1 Hon. Richard A. Jones  
2  
3  
4  
5  
6

7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 DALE DUPREE CASEY,

14 Defendant.

No. 2:20-cr-00020-RAJ

15 ORDER RESETTING  
16 TRIAL DATE

17 This matter comes before the Court *sua sponte*. Trial in this matter is  
18 RESCHEDULED for **Monday, November 30, 2020, at 9:00 a.m.** All pretrial  
19 filings—including trial briefs, proposed voir dire, proposed jury instructions, and  
20 proposed verdict forms—must be submitted no later than Friday, November 20,  
21 2020.

22 Pursuant to General Order 15-20 and earlier General Orders of the United  
23 States District Court for the Western District of Washington addressing measures to  
24 reduce the spread and health risks from COVID-19, which are incorporated herein  
25 by reference, the Court hereby FINDS as follows:

- 26
1. In light of the recommendations made by the Centers for Disease Control  
2 and Prevention (CDC) and Public Health for Seattle and King County  
3 regarding social distancing measures required to stop the spread of this  
4 disease, it is not possible at this time to proceed with a jury trial in the  
5 immediate future;

- 1           2. Further, as stated in General Order 15-20, limiting the size and frequency  
2           of gatherings remains critical to preventing serious illness and death from  
3           COVID-19. The continuing public health situation resulting from the  
4           pandemic also limits the availability and ability of witnesses, counsel, and  
5           Court staff to be present in the courtroom, and the ability to obtain an  
6           adequate spectrum of jurors to proceed with in-person jury trials. For the  
7           foreseeable future, it will be possible to proceed with only one in-person  
8           criminal jury trial at a time at each of the district's two courthouses. A  
9           continuance of the trial date in this case until November 30, 2020, is  
10          therefore necessary to allow the appropriate spacing of trials; and  
11          3. As a result, the failure to grant a continuance of the trial date in this case  
12          would likely result in a miscarriage of justice. Pursuant to 18 U.S.C.  
13          § 3161(h)(7)(A), the ends of justice served by continuing the trial in this  
14          case outweigh the best interest of the public and the defendant to a speedy  
15          trial.

16          Therefore, IT IS HEREBY ORDERED that the time between October 5, 2020  
17          and the new trial date of November 30, 2020, is excluded in computing the time  
18          within which trial must commence because the ends of justice served by granting  
19          this continuance outweigh the best interest of the public and the defendant in a  
20          speedy trial, 18 U.S.C. § 3161(h)(7)(A). Failure to grant this continuance would  
21          likely make trial impossible and result in a miscarriage of justice, and would deny  
22          counsel for the defendant and government counsel the reasonable time necessary for  
23          effective preparation, taking into account the exercise of due diligence. *Id.* §  
24          3161(h)(7)(B)(i), (iv).

25          DATED this 9th day of October, 2020.  
26

  
The Honorable Richard A. Jones  
United States District Judge